



Bernadette Donovan <bernadette@donovanengle.com>

Merrell, Monroe

Lanham, Bryan K <Bryan.K.Lanham@wv.gov>
To: Douglas Sughrue <dsughrue@sughruelaw.com>
Cc: Bernadette Donovan <bernadette@donovanengle.com>

Thu, Apr 8, 2021 at 8:52 AM

I am aware of the accommodation. We are allotting 20 hrs. per week for viewing. Once the hard drive has arrived, I will have IT ensure everything is compatible with the Law Library computer.

Thanks

From: Douglas Sughrue <dsughrue@sughruelaw.com>
Sent: Thursday, April 8, 2021 8:47 AM
To: Lanham, Bryan K <Bryan.K.Lanham@wv.gov>
Cc: Bernadette Donovan <bernadette@donovanengle.com>
Subject: [External] Merrell, Monroe

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Superintendent Lanham,

Ms. Donovan and I are reaching out to you to begin to discuss when we will be arriving at the facility to provide Mr. Merrell a copy of his discovery on a 4 terabyte external hard drive. From my conversations with David Farmer and Brad Douglas on April 5, 2021, they said they would get in touch with you to discuss our plan. I trust they have done that by now. We were told that we will provide your facility with the external hard drive containing the discovery and only the discovery. The facility will maintain it. When Mr. Merrell wants to review the discovery, Mr. Merrell will signed out the device and take it to the law library where he will attach it to a computer capable of reviewing/listening to the discovery. The device shall not be viewed/accessed by any employee of the TVRJ, DCR, etc. save for a quick virus scan, if required. When the USA makes a discovery disclosure in the future, our suggestion is that we will update a different hard drive with all of the information and swap it out for the old hard drive at an inmate visit with Mr. Merrell.

We understand there may be some bumps in the road. We are hoping that an open line of communication between us will help to quickly resolve those bumps. We know there is a chance that the computer may not be able to open some of the documents or play some of the recordings. Mr. Merrell will track those files and we will notify you and your IT people for a solution. The computer should not be able to print any documents. The computer should have speakers, but preferably a headphone jack so that others in the law library can't hear what is being said on the recordings. If we need to provide Mr. Merrell with headphones, please let us know and we will do so. The headphones can be maintained with the hard drive if they are otherwise not permitted in the institution.

Our hope is that Mr. Merrell will be given a daily opportunity to review his discovery just as any inmate would be able to if they had possession of it.

Please let us know if you have any questions or concerns on your end. We have some work to do on our end before we can set up a time for the initial placement of the hard drive at your facility. Thank you for being flexible with this most important matter. For future reference, my contact info is below if you need to reach out to me. Ms. Donovan's contact info is as follows:

Bernadette M. Donovan
Visiting Professor
Washington & Lee University School of Law
Donovan & Engle, PLLC
1134 East High Street, Unit A
Charlottesville, Virginia 22902
(800) 428-5214 (p)
(434) 465-6866 (f)
<http://www.donovanengle.com>

Thanks,

Douglas Sughrue, Esq.
429 Fourth Ave., Suite 501
Pittsburgh, PA 15219

(412) 391-1629 xt. 281 office
(412) 391-1622 fax
(866) 525-OWCP (6927) toll free

www.sughruelaw.com
www.injuredfedealemployee.com